



# Materials Management Planning

## PLAN APPROVAL PROCESS



MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY



Subpart 11 (Materials Management Plans) of Part 115 (Solid Waste Management) of the Natural Resources and Environmental Protection Act (NREPA) requires the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to ensure that each county in Michigan has an approved Materials Management Plan (MMP). Two or more counties may be included under the same MMP. The process for submission and approval of a MMP is outlined in this document.

The EGLE Director initiates the development of a Materials Management Plan (MMP).

**STEP 1.** Each County Board of Commissioners (BOC) must file a Notice of Intent (NOI) within **180 days**.

NOTE: If the County declines to prepare the MMP; the County shall advise the municipalities and the Regional Planning Agency (RPA) of their decision. Whichever entity files the NOI becomes the County Approval Agency (CAA).

- If yes (NOI was filed by BOC), continue to Step 2.
- If no (NOI was not filed by BOC), the municipalities or RPA can request an extension to allow the parties opportunity to determine who will file the NOI with an EGLE approved extension.
  - If yes, continue to Step 2.
  - If no, EGLE shall prepare the MMP, and the MMP is final. End of process.

A county Board of Commissioners (BOC) has a total of **36 months** from the date a NOI is filed to complete its portions of the process.

**STEP 2.** The CAA establishes the Designated Planning Agency (DPA); oversees the creation of the DPA's work program; and appoints the Materials Management Planning Committee (MMPC) **within 120 days** (MMPC meets in public to direct drafting of the MMP. DPA supports process notices, minutes, mailings, etc. and prepares MMP as directed.)

- MMP is grant eligible. A NOI and establishment of the DPA shall be required to be eligible for the MMP Grant. For MMP Grant Fund information see Section 11587 for authorized uses.

**STEP 3.** MMP is drafted.

**STEP 4.** When authorized by the MMPC; DPA makes draft MMP available for public review and comment for a minimum of **60 days** with public hearing.

- The public hearing notice shall be published at least **30 days** prior to the public hearing date. (Documentation must be provided.)

- Notify the Planning Area and adjacent communities at least **10 days** prior to the public hearing date. (DPA notifies the public of the public comment period and public hearing per Administrative Procedures Act (APA) requirements in one publication.)

**STEP 5.** DPA must hold a public hearing. Once the public comment period/hearing are completed, DPA has **30 days** to revise the draft MMP and send back to MMPC for approval and recommends to CAA for final approval.

**STEP 6.** MMPC approves MMP by majority vote within **30 days**.

**STEP 7.** CAA must take formal action within **60 days**.

**STEP 8.** Does the CAA approve the MMP?

- If yes, continue to Step 9.
- If no, **within 30 days** CAA sends back to MMPC with objections.
  - MMPC responds to CAA within **30 days**.
  - Does the CAA approve the MMP?
    1. If yes, continue to Step 9.
    2. If no, CAA prepares its own MMP. Then continue to step 10.

**STEP 9.** Within **10 business days** of CAA approval the MMP goes to all municipalities in County for 67% local approval.

**STEP 10.** Do 67% of municipalities that voted within **120 days** approve the MMP? (All municipalities that have not responded within the 120-day timeframe will NOT count towards the 67%.)

**NOTE: ALL tasks must be completed within 36 months to this point.**

- If yes, continue to step 11.
- If no, EGLE shall prepare the MMP. The MMP will be final. End of process.

**STEP 11.** **30 days** after the municipal review and approval has completed, DPA shall submit the MMP to EGLE for review.

NOTE: EGLE has **180 days** to review MMP and can extend another **90 days** if modifications are needed to bring the MMP into compliance with Part 115.

**STEP 12.** Does EGLE approve the MMP?

- If yes, MMP is final. End of process.
- If no, EGLE may prepare or modify the MMP. Continue to step 13.

**STEP 12a.** Does the CAA approve the EGLE modifications?

- If yes, MMP is final. End of process.
- If no, EGLE shall prepare the MMP. MMP is final. End of process.

**EGLE PREPARED MATERIALS MANAGEMENT PLAN SHALL CONTAIN:**

1. All materials utilization facilities or processing and transfer stations that are exempt from needing a permit or license, that comply with local zoning that have been included in the Department written MMP, are automatically consistent with the MMP's siting and development process.
2. No additional solid waste landfill disposal capacity will be approved unless the BOC has demonstrated it to be necessary.
3. All haulers will be required per Part 115, to provide recycling access per the Benchmark Recycling Standard.

A MMP written by EGLE will not be required to contain the criterion that the Host Community provides an approval for the development of any facility.

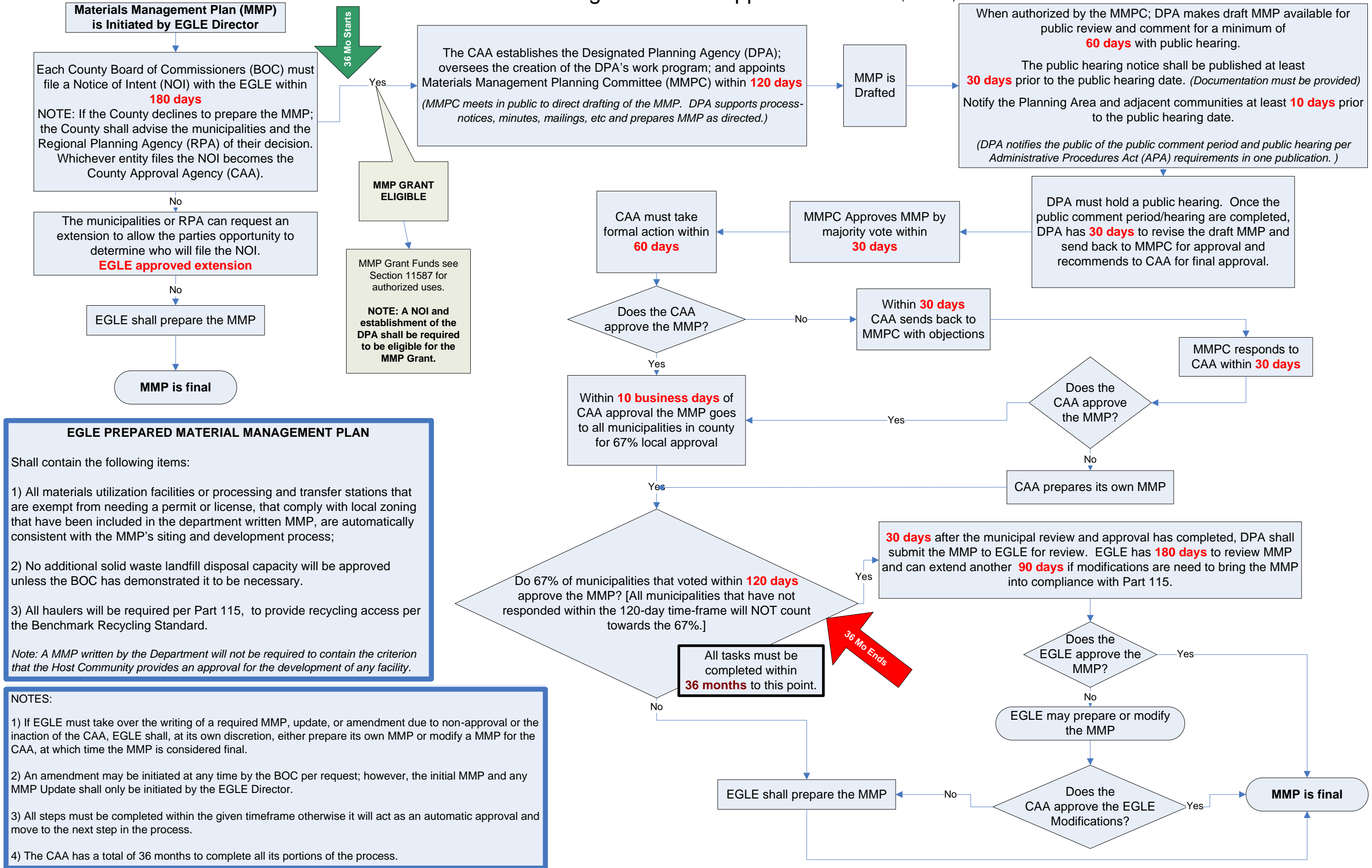
**NOTES:**

1. If EGLE must take over the writing of a required MMP, update, or amendment due to non-approval or the inaction of the CAA, EGLE shall, at its own discretion, either prepare its own MMP or modify a MMP for the CAA, at which time the MMP is considered final.
2. An amendment may be initiated at any time by the CAA per request; however, the initial MMP and any MMP Update shall only be initiated by the EGLE Director.
3. All steps must be completed within the given timeframe otherwise it will act as an automatic approval and move to the next step in the process.
4. The CAA has a total of 36 months to complete all its portions of the process.

EGLE does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and prohibits intimidation and retaliation, as required by applicable laws and regulations.

To request this material in an alternative format, contact [EGLE-Accessibility@Michigan.gov](mailto:EGLE-Accessibility@Michigan.gov) or call 800-662-9278.

# DRAFT Materials Management Plan Approval Process (11/22/21)



**EGLE PREPARED MATERIAL MANAGEMENT PLAN**

Shall contain the following items:

- 1) All materials utilization facilities or processing and transfer stations that are exempt from needing a permit or license, that comply with local zoning that have been included in the department written MMP, are automatically consistent with the MMP's siting and development process;
- 2) No additional solid waste landfill disposal capacity will be approved unless the BOC has demonstrated it to be necessary.
- 3) All haulers will be required per Part 115, to provide recycling access per the Benchmark Recycling Standard.

*Note: A MMP written by the Department will not be required to contain the criterion that the Host Community provides an approval for the development of any facility.*

**NOTES:**

- 1) If EGLE must take over the writing of a required MMP, update, or amendment due to non-approval or the inaction of the CAA, EGLE shall, at its own discretion, either prepare its own MMP or modify a MMP for the CAA, at which time the MMP is considered final.
- 2) An amendment may be initiated at any time by the BOC per request; however, the initial MMP and any MMP Update shall only be initiated by the EGLE Director.
- 3) All steps must be completed within the given timeframe otherwise it will act as an automatic approval and move to the next step in the process.
- 4) The CAA has a total of 36 months to complete all its portions of the process.